

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN SAYYAH, et al.,

Plaintiffs,

v.

WAYNOKA PROPERTY OWNERS
ASSOCIATION, INC., et al.,

Defendants.

Case No. 1:01cv459

Judge Watson

JOINT STATUS REPORT

Now come the parties, pursuant to this Court's Order for a Joint Status Report, and submit the following:

I. NATURE OF CASE AND BRIEF DESCRIPTION OF CLAIMS ASSERTED:

The within cause was brought by Plaintiffs Sayyah and Frank pursuant to the Civil Racketeer Influenced and Corrupt Organization Act, or RICO, and a host of other federal statutes. Plaintiffs, residents of the Lake Waynoka subdivision, in Brown County, Ohio, have brought this suit against: the Waynoka Property Owners Association and Trustees; the Waynoka Regional Water and Sewer District and Trustees; other employees of Lake Waynoka; a Village of Georgetown police officer; Lake Waynoka's legal counsel; Attorney Herbert E. Freeman; a real estate company and its agents that have done business within the Lake Waynoka subdivision; and the certified public accounting firm of Kamphaus, Henning and Hood, Certified Public Accountants, Inc.

For the sake of brevity, the parties refer this Court to paragraph 21 of Plaintiffs' Amended Complaint, which is believed to capture the theme of Plaintiffs' complaints against the Defendants in this matter. Additionally, Plaintiffs allege violations of Lake Waynoka's Restrictive Covenants and Code of Regulations.

All Defendants vehemently deny such claims and have filed Motions to Dismiss Plaintiffs' Amended Complaint, and a Motion for Judgment on the Pleadings, on the basis of varying legal grounds. Some of these motions are still pending. Finally, Plaintiffs filed a Motion to Disqualify Stephen Yeager, Esq. and Motion to Sanction Freeman.

II. EFFORTS TO SETTLE:

None.

III. SCHEDULED DATES FOR:

- a. Discovery cutoff: May 3, 2005;
- b. Dispositive motions deadline: June 1, 2005;
- c. Settlement conference: None;
- d. Final pretrial: 9/05; and
- e. Trial: 10/05.

IV. OTHER CASE – RELATED ISSUES:

- a. Plaintiffs failed to identify their primary experts and produce their primary expert reports by September 1, 2004, as ordered by this Court's Calendar Order. Plaintiffs admit that at this date they have yet to retain an expert witness.
- b. Plaintiffs have also filed suits against some or all of the Defendants in the within matter in case numbers 1:04cv194, 1:04cv432, 1:04cv442, and 1:04cv395.

Respectfully submitted,

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